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11 Attorneys for Plaintiff

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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA, ) CR No. 07-0309 WHA  
18 Plaintiff, )  
19 v. ) STIPULATION AND [PROPOSED] ORDER  
20 JOSE JESUS MADRIGAL-DIAZ, ) EXCLUDING TIME  
21 Defendant. )  
22 \_\_\_\_\_

23 On May 21, 2007, the parties in this case appeared before the Court and stipulated that time  
24 should be excluded from the Speedy Trial Act calculations from May 21, 2007 to May 29, 2007  
25 for continuity of counsel and effective preparation of counsel. The parties represented that  
26 granting the continuance was necessary for effective preparation of counsel, taking into account  
27 the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

28 SO STIPULATED:

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1 SCOTT N. SCHOOLS  
2 United States Attorney

3 DATED: May 29, 2007

4 /s/  
5 DENISE MARIE BARTON  
6 Assistant United States Attorney

7 DATED: May 29, 2007

8 /s/  
9 JEFFRY GLENN  
10 Attorney for JOSE JESUS MADRIGAL-  
11 DIAZ

12 As the Court found on May 21, 2007, and for the reasons stated above, the Court finds that  
13 the ends of justice served by the continuance outweigh the best interests of the public and the  
14 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act  
15 calculations from May 21, 2007 to May 29, 2007 for continuity of counsel and effective  
16 preparation of counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested  
17 continuance would deny defendant continuity of counsel and deny counsel reasonable time  
18 necessary for effective preparation, taking into account the exercise of due diligence, and would  
result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

19 SO ORDERED.

20  
21 DATED: \_\_\_\_\_

22 Honorable Nandor J. Vadas  
23 United States Magistrate Court Judge